

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fritig *et al.*  
Serial No. : 09/937,204 Examiner : Not Yet Assigned  
Filed : September 21, 2001 Group Art Unit: Not Yet Assigned  
For : INDUCIBLE COMTII PROMOTER, CHIMERA GENE  
CONTAINING SAME AND TRANSFORMED PLANTS

**INFORMATION DISCLOSURE STATEMENT**

June 28, 2002

**EXPRESS MAIL NO.: ET346777749US**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449 and respectfully requests that the listed documents be considered by the Examiner and made of record in the above-captioned application.

The listed documents, copies of which are attached, are as follows:

1. United States Patent No. 6,362,396, by Chaubet *et al.*, issued March 26, 2002, and entitled "CHIMERIC GENES FOR THE TRANSFORMATION OF PLANTS." – English Language equivalent of EP 0 507 698.

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2. United States Patent No. 6,376,234, by Grimsley *et al*, issued April 23, 2002, and entitled "METHOD OF INSERTING VIRAL DNA INTO PLANT MATERIAL."  
– English Language equivalent of EP 0 267 159.
3. United States Patent No. 6,313,282, by Atanassova *et al*, issued November 6, 2001, and entitled "ISOLATED DNA SEQUENCE WHICH CAN SERVE AS TERMINATOR REGION IN A CHIMERIC GENE CAPABLE OF BEING USED FOR THE TRANSFORMATION OF PLANTS." – English Language equivalent of EP 0 633 317 A1.
4. United States Patent No. 6,331,522, by Bulet *et al*, issued December 18, 2001, and entitled "ANTIBACTERIAL AND ANTIFUNGAL PEPTIDE." – English Language equivalent of WO 97/30082.
5. United States Patent No. 6,037,526, by Grimsley *et al*, issued March 14, 2000, and entitled "METHOD OF INSERTING VIRAL DNA INTO PLANT MATERIAL." – English Language equivalent of EP 0 267 159.
6. United States Patent No. 6,127,336, by Bulet *et al.*, issued October 3, 2000, and entitled "ANTIBACTERIAL AND ANTIFUNGAL PEPTIDE." – English Language equivalent of WO 97/30082.
7. International Patent Application PCT/FR98/01462, by Rhone-Poulenc Agro, filed 8 July 1998, published as WO 99/02717 on 21 January 1999, and entitled "CHIMERIC GENE CODING FOR DROSOMICINE, VECTOR CONTAINING IT AND PRODUCTION OF TRANSGENIC PLANTS RESISTANT TO DISEASES."
8. International Patent Application PCT/EP98/04988, by Vlaams Interuniversitair Instituut Voor Biotechnologie, filed 27 July 1998, published as WO 99/09188 on 25 February 1999, and entitled "TISSUE-SPECIFIC POPLAR PROMOTERS."

9. International Patent Application PCT/FR98/01814, by Rhone-Poulenc Agro, filed 18 August 1998, published as WO 99/09189 on 25 February 1999, and entitled "GENE CODING FOR ANDOCTONINE, VECTOR CONTAINING SAME AND TRANSFORMED DISEASE-RESISTANT PLANTS OBTAINED."
10. Keller H, Pamboukdjian N, Ponchet M, Poupet A, Delon R, Verrier JL, Roby D, Ricci P. Pathogen-induced elicitin production in transgenic tobacco generates a hypersensitive response and nonspecific disease resistance. *Plant Cell* 1999 Feb;11(2):223-35.
11. Sasaki T, Nagamura Y, Yamamoto K. *Oryza sativa* nipponbare (GA3) genomic DNA, chromosome 6, PAC clone P0680A03. EMBL Accession No. AB023482. Submitted February 5, 1999.
12. United States Patent No. 5,866,776, by Marie de Wit, issued February 2, 1999, and entitled "METHODS FOR THE PROTECTION OF PLANTS AGAINST PATHOGENS."
13. United States Patent No. 5,981,843, by Chappell *et al.*, issued November 9, 1999, and entitled ELICITIN-MEDIATED PLANT RESISTANCE."
14. Chen C. *Populus trichocarpa* CCoAOMT2 gene, exon 1 to exon 5. EMBL Accession Number AJ 223620. Submitted February 10, 1998.
15. International Patent Application PCT/US97/07657, by Dowelanco, filed 5 May 1997, published as WO 98/08932 on 5 March 1998, and entitled "INSECTICIDAL PROTEIN TOXINS FROM *PHOTORHABDUS*."
16. Lee JE, Kleinhofs A, Graner A, Wegener S, Parthier B, Lobler M. Genomic sequence and mapping of a methyljasmonate-induced O-methyltransferase from barley (*Hordeum vulgare* L.). *Chemical Abstracts* Vol. 128, No. 23, Abstract No. 279382, June 8, 1998.

17. Chen C, Meyermans H, Van Doorselaere J, Van Montagu M, Boerjan W. A gene encoding caffeoyl coenzyme A 3-O-methyltransferase from *Populus trichocarpa* (Accession No. AJ 223620). Plant Physiol. 1998;117:719.
18. International Patent Application PCT/US97/20441, by Pioneer Hi-Bred International, Inc., filed 31 October 1997, published as WO 98/20133 on 14 May 1998, and entitled "PROTEINS WITH ENHANCED LEVELS OF ESSENTIAL AMINO ACIDS."
19. International Patent Application PCT/GB98/01000, by The Minister of Agriculture Fisheries and Food in Her Britannic Majesty's Government of the United Kingdom of Great Britain and Northern Ireland, filed 3 April 1998, published as WO 98/45445 on 15 October 1998, and entitled "INDUCIBLE PLANT PROMOTERS."
20. International Patent Application PCT/US98/07178, by Rhone-Poulenc Agro, filed 9 April 1998, published as WO 98/45460 on 15 October 1998, and entitled "A SUNFLOWER ALBUMIN 5' REGULATORY REGION FOR THE MODIFICATION OF PLANT SEED LIPID COMPOSITION."
21. International Patent Application PCT/US98/07179, by Rhone-Poulenc Agro, filed 9 April 1998, published as WO 98/45461 on 15 October 1998, and entitled "AN OLEOSIN 5' REGULATORY REGION FOR THE MODIFICATION OF PLANT SEED LIPID COMPOSITION."
22. United States Patent No. 5,792,930 by Chaubet *et al*, issued August 11, 1998, and entitled "CHIMERIC GENES FOR THE TRANSFORMATION OF PLANTS." – ENGLISH EQUIVALENT OF EP 0 507 698.
23. Datla R, Anderson JW, Selvaraj G. Plant promoters for transgene expression. Biotech Ann Rev 1997;3:269-296.

24. Grimmig B, Matern U. Structure of the parsley caffeoyl-CoA O-methyltransferase gene, harbouring a novel elicitor responsive cis-acting element. *Plant Mol Biol* 1997 Jan;33(2):323-341.
25. International Patent Application PCT/FR96/01125, by Rhone-Poulenc Agrochimie, filed 18 July 1996, published as WO 97/04103 on 6 February 1997, and entitled "MUTATED 5-ENOL PYRUVYL SHIKIMATE-3-PHOSPHATE SYNTHASE GENE, GENE CODING FOR SAID PROTEIN AND TRANSFORMED PLANTS CONTAINING SAID GENE."
26. International Patent Application PCT/US96/18003, by Wisconsin Alumni Research Foundation, filed 6 November 1996, published as WO 97/17432 on 15 May 1997, and entitled "INSECTICIDAL PROTEIN TOXINS FROM *PHOTORHABDUS*."
27. International Patent Application PCT/FR97/00295, by Rhone-Poulenc Agrochimie, filed 17 February 1997, published as WO 97/30082 on 21 August 1997, and entitled "ANTIFUNGIC AND ANTIBACTERIAL PEPTIDE."
28. International Patent Application PCT/US97/06180, by Pioneer Hi-Bred International, Inc., filed 27 April 1997, published as WO 97/41239 on 6 November 1997, and entitled "TRANSGENIC PLANTS WITH ENHANCED SULFUR AMINO ACID CONTENT."
29. Lee JE, Kleinhofs A, Graner A, Wegener S, Parthier B, Loebler M. Genomic sequence and mapping of a methyljasmonate-induced RT O-methyltransferase from barley. *DNA Seq.* 1997;7(6):357-363.
30. United States Patent No. 5,641,876, by McElroy *et al.*, issued June 24, 1997, and entitled "RICE ACTIN GENE AND PROMOTER."

31. United States Patent No. 5,670,349, by Cramer *et al.*, issued September 23, 1997, and entitled "HMG2 PROMOTER EXPRESSION SYSTEM AND POST-HARVEST PRODUCTION OF GENE PRODUCTS IN PLANTS AND PLANT CELL CULTURES."
32. United States Patent No. 5,689,056, by Cramer *et al.*, issued November 18, 1997, and entitled "HMG2 PROMOTER EXPRESSION SYSTEM."
33. Cappellades M, Torres MA, Bastisch I, Stiefel V, Vignols F, Bruce WB, Peterson D, Puigdomènech P, Rigau J. The maize caffeic acid o-methyltransferase gene promoter is active in transgenic tobacco and maize plant tissues. *Plant Molecular Biology* 1996;31:307-322.
34. International Patent Application PCT/US96/06452, by the Board of Trustees of the University of Kentucky, filed 7 May 1996, published as WO 96/36697 on 21 November 1996, and entitled "TRANSCRIPTIONAL CONTROL SEQUENCES AND METHODS."
35. International Patent Application PCT/US96/00831, by Rhone-Poulenc Agrochimie, filed 3 June 1996, published as WO 96/38567 on 5 December 1996, and entitled "DNA SEQUENCE OF A GENE OF HYDROXY-PHENYL PYRUVATE DIOXYGENASE AND PRODUCTION OF PLANTS CONTAINING A GENE OF HYDROXY-PHENYL PYRUVATE DIOXYGENASE AND WHICH ARE TOLERANT TO CERTAIN HERBICIDES."
36. Lee JE. Horde vulgar caffeic acid O-methyltransferase (HvCOMT) gene, complete cds. EMBL Accession No U54767. Submitted April 11, 1996.
37. United States Patent No. 5,484,956, by Lundquist *et al.*, issued January 16, 1996, and entitled "FERTILE TRANSGENIC ZEA MAYS PLANT COMPRISING

HETEROLOGOUS DNA ENCODING *BACILLUS THURINGIENSIS* ENDOTOXIN."

38. United States Patent No. 5,489,520, by Adams *et al.*, issued February 6, 1996, and entitled "PROCESS OF PRODUCING FERTILE TRANSGENIC *ZEA MAYS* PLANTS AND PROGENY COMPRISING A GENE ENCODING PHOSPHINOTHRICIN ACETYL TRANSFERASE."
39. United States Patent No. 5,491,288, by Chaubet *et al.*, issued February 13, 1996, and entitled "CHIMERIC GENE COMPRISING THE ARABIDOPSIS HISTONE H4 PROMOTER FOR THE TRANSFORMATION OF PLANTS." – English Language equivalent of EP 0 507 698.
40. United States Patent No. 5,508,468, by Lundquist *et al.*, issued April 16, 1996, and entitled "FERTILE TRANSGENIC CORN PLANTS."
41. United States Patent No. 5,510,318, by Patel *et al.*, issued April 23, 1996, and entitled "HERBICIDAL OXAZINE ETHERS."
42. United States Patent No. 5,538,877, by Lundquist *et al.*, issued July 23, 1996, and entitled "METHOD FOR PREPARING FERTILE TRANSGENIC CORN PLANTS."
43. United States Patent No. 5,554,798, by Lundquist *et al.*, issued September 10, 1996, and entitled "FERTILE GLYCOPHOSPHATE-RESISTANT TRANSGENIC CORN PLANTS."
44. United States Patent No. 5,565,346, by Facciotti, issued October 15, 1996, and entitled "TRANSFORMATION AND REGENERATION SYSTEM FOR LEGUMES."

45. United States Patent No. 5,569,597, by Grimsley *et al*, issued October 29, 1996, and entitled "METHOD OF INSERTING VIRAL DNA INTO PLANT MATERIAL." – English Language equivalent of EP 0 267 159.
46. Baillieul F, Genetet I, Kopp M, Saindrenan P, Fritig B, Kauffmann S. A new elicitor of the hypersensitive response in tobacco: a fungal glycoprotein elicits cell death, expression of defence genes, production of salicylic acid, and induction of systemic acquired resistance. *Plant J* 1995 Oct;8(4):551-60.
47. European Patent Application No. 94420177.1, by Rhone-Poulenc Agrochimie, filed 23 June 1994, published as EP 0 633 317 A1 on 11 January 1995, and entitled "SEQUENCE D'ADN ISOLÉE POUVANT SERVIR DE ZONE TERMINATRICE DANS UN GÈNE CHIMÈRE UTILISABLE POUR LA TRANSFORMATION DES PLANTES."
48. European Patent Application No. 94925611.9, by Japan Tobacco, Inc., filed 9 January 1994, published as EP 0 672 752 A1 on 20 September 1995, and entitled "METHOD OF TRANSFORMING MONOCOTYLEDON BY USING SCUTELLUM OF IMMATURE EMBRYO."
49. International Patent Application PCT/US94/08722, by Virginia Tech Intellectual Properties, Inc., filed 2 August 1994, published as WO 95/03690 on 9 February 1995, and entitled "HMG2 PROMOTER EXPRESSION SYSTEM AND POST-HARVEST PRODUCTION OF GENE PRODUCTS IN PLANTS AND PLANT CELL CULTURES."
50. International Patent Application PCT/US94/09699, by DeKalb Genetics Corporation, filed 24 August 1994, published as WO 95/06128 on 2 March 1995, and entitled "FERTILE, TRANSGENIC MAIZE PLANTS AND METHODS FOR THEIR PRODUCTION."



51. International Patent Application PCT/US95/05545, by E. I. Du Pont de Nemours and Company, filed 12 May 1995, published as WO 95/31554 on 23 November 1995, and entitled "NUCLEIC ACID FRAGMENTS, CHIMERIC GENES AND METHODS FOR INCREASING THE METHIONINE CONTENT OF THE SEEDS OF PLANTS."
52. Panabières F, Marais A, Berre JYL, Penot I, Fournier D, Ricci P. Characterization of a gene cluster of *Phytophthora cryptogea* which codes for elicitors, proteins inducing a hypersensitive-like response in tobacco. Mol Plant Microbe Interact 1995;8:996-1003.
53. United States Patent No. 5,405,765, by Vasil *et al.*, issued April 11, 1995, and entitled "METHOD FOR THE PRODUCTION OF TRANSGENIC WHEAT PLANTS."
54. United States Patent No. 5,464,763, by Schilperoort *et al.*, issued November 7, 1995, and entitled "PROCESS FOR THE INCORPORATION OF FOREIGN DNA INTO THE GENOME OF DICOTYLEDONOUS PLANTS."
55. United States Patent No. 5,478,744, by Sanford *et al.*, issued December 26, 1995, and entitled "METHOD FOR TRANSPORTING SUBSTANCES INTO LIVING CELLS AND TISSUES AND APPARATUS THEREFOR."
56. European Patent Application No. 93914958.9, by Japan Tobacco, Inc., filed 7 June 1993, published as EP 0 604 662 A1 on 6 July 1994, and entitled "METHOD OF TRANSFORMING MONOCOTYLEDON."
57. Huet J-C, Pernollet J-C. Alpha-elicitor MGM-alpha. SWISSPROT Accession No. P35698. Release 29, June 1994.
58. Huet J-C, Pernollet J-C. Beta-elicitor MGM-beta. SWISSPROT Accession No. P35699. Release 29, June 1994.

59. Kauffmann S, Baillieul F, Genetet L, Kopp M, Fritig B. Two proteins secreted by *Phytophthora megasperma* elicit necrosis and defense-related responses in tobacco. Chemical Abstracts Vol. 120, No. 11, Abstract No. 129730. March 14, 1994.
60. Panabieres F. P. cryptogea X24 gene for cryptogein, EMBL Accession No. Z34459. Submitted June 10, 1994.
61. United States Patent No. 5,371,014, by Matsuyama *et al.*, issued December 6, 1994, and entitled "PROCESS FOR THE PRODUCTION OF OPTICALLY-ACTIVE 2-HYDROXY ACID ESTERS USING MICROBES TO REDUCE THE 2-OXO PRECURSOR."
62. Altschul SF. A protein alignment scoring system sensitive at all evolutionary distances. J Mol Evol 1993 Mar;36(3):290-300.
63. European Patent Application No. 92911778.6, by Japan Tobacco, Inc., filed 11 May 1992, published as EP 0 539 563 B1 on 5 May 1993, and entitled "METHOD OF CREATING A TRANSFORMED RICE PLANT."
64. Huet J-C, Pernollet J-C. Sequences of acidic and basic elicitin isoforms secreted by *Phytophthora megasperma megasperma*. Phytochemistry 1993;33:797-805.
65. International Patent Application PCT/GB92/01640, by Imperial Chemical Industries PLC, filed 9 September 1992, published as WO 93/05160 on 18 March 1993, and entitled "MODIFICATION OF LIGNIN SYNTHESIS IN PLANTS."
66. International Patent Application PCT/US92/08746, by Rhone-Poulenc Agrochimie, filed 13 October 1992, published as WO 93/06712 on 15 April 1993, and entitled "PRODUCTION OF GAMMA LINOLENIC ACID BY  $\Delta^6$ -DESATURASE."

67. Kamoun S, Young M, Glascock CB, Tyler BM. Extracellular protein elicitors from *Phytophthora*: host-specificity and induction of resistance to bacterial and fungal pathogens. *Mol Plant Microbe Interact* 1993;6:15-25.
68. Kauffmann S, Baillieul F, Genetet I, Kopp M, Fritig B. Two proteins secreted by *Phytophthora megasperma* elicit and defence-related responses in tobacco. In *Mechanisms of Plant Defense Responses*. B. Fritig and M. Legrand, eds. Dordrecht: Kluwer Academic Publishers, pp. 140-143, 1993.
69. Pellegrini L, Geoffroy P, Fritig B, Legrand M. Molecular cloning and expression of a new class of ortho-diphenol-O-methyltransferases induced in tobacco (*Nicotiana tabacum* L.) leaves by infection or elicitor treatment. *Plant Physiol* 1993 Oct;103(2):509-517.
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71. United States Patent No. 5,177,010, by Goldman *et al.*, issued January 5, 1993, and entitled "PROCESS FOR TRANSFORMING CORN AND THE PRODUCTS THEREOF."
72. United States Patent No. 5,179,022, by Sanford *et al.*, issued January 12, 1993, and entitled "BIOLISTIC APPARATUS FOR DELIVERING SUBSTANCES INTO CELLS AND TISSUES IN A NON-LETHAL MANNER."
73. United States Patent No. 5,187,073, by Goldman *et al.*, issued February 16, 1993, and entitled "PROCESS OF TRANSFORMING GRAMINEAE AND THE PRODUCTS THEREOF."
74. United States Patent No. 5,204,253, by Sanford *et al.*, issued April 20, 1993, and entitled "METHOD AND APPARATUS FOR INTRODUCING BIOLOGICAL SUBSTANCES INTO LIVING CELLS."

75. European Patent Application No. 91310374.3, by Pioneer Hi-Bred International, Inc., filed 11 November 1991, published as EP 0 486 233 B1 on 20 May 1992, and entitled "PLANT TRANSFORMATION METHOD USING AGROBACTERIUM SPECIES."
76. European Patent Application No. 91310375.0, by Pioneer Hi-Bred International, Inc., filed 11 November 1991, published as EP 0 486 234 B1 on 20 May 1992, and entitled "PLANT TRANSFORMATION METHOD USING AGROBACTERIUM SPECIES."
77. European Patent Application No. 92420065.2, by Rhone-Poulenc Agrochimie, filed 4 March 1992, published as EP 0 507 698 A1 on 7 October 1992, and entitled "PROMOTEURS D'HISTONE."
78. International Patent Application PCT/US92/00958, by E. I. Du Pont de Nemours and Company, filed 14 February 1991, published as WO 92/14822 on 3 September 1992, and entitled "A HIGH SULFUR SEED PROTEIN GENE AND METHOD FOR INCREASING THE SULFUR AMINO ACID CONTENT OF PLANTS."
79. International Patent Application PCT/US92/02882, by Rhone-Poulenc Agrochimie, filed 7 April 1992, published as WO 92/17580 on 15 October 1992, and entitled "CHIMERIC PLANT GENES BASED ON UPSTREAM REGULATORY ELEMENTS OF HELIATHININ."
80. United States Patent No. 5,100,792, by Sanford *et al.*, issued March 31, 1992, and entitled "METHOD FOR TRANSPORTING SUBSTANCES INTO LIVING CELLS AND TISSUES."
81. European Patent Application No. 90301492.6, by Pioneer Hi-Bred International, Inc., filed 13 February 1990, published as EP 0 442 174 A1 on 21 August 1991, and entitled "STABLE TRANSFORMATION OF PLANT CELLS."

82. International Patent Application PCT/US90/04462, by DeKalb Plant Genetics, filed 8 August 1990, published as WO 91/02071 on 21 February 1991, and entitled "METHODS AND COMPOSITIONS FOR THE PRODUCTION OF STABLY TRANSFORMED, FERTILE MONOCOT PLANTS AND CELLS THEREOF."
83. International Patent Application PCT/NL91/00052, by Rijkslandbouwniversiteit Wageningen, filed 27 March 1991, published as WO 91/15585 on 17 October 1991, and entitled "METHOD FOR THE PROTECTION OF PLANTS AGAINST PATHOGENS."
84. United States Patent No. 5,036,006, by Sanford *et al.*, issued July 30, 1991, and entitled "METHOD FOR TRANSPORTING SUBSTANCES INTO LIVING CELLS AND TISSUES AND APPARATUS THEREFOR."
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87. Panabieres F, Marais A, le Berre J, Penot I, Fournier D, Ricci P. Beta-elicitin cryptogein [Precursor]. SWISSPROT Accession No. P15570. Release 14, April 1990.
88. United States Patent No. 4,945,050, by Sanford *et al.*, issued July 31, 1990, and entitled "METHOD FOR TRANSPORTING SUBSTANCES INTO LIVING CELLS AND TISSUES AND APPARATUS THEREFOR."

89. European Patent Application No. 87306739.1, by Calgene LLC, filed 30 July 1987, published as EP 0 255 378 B2 on 3 February 1988, and entitled "SEED SPECIFIC TRANSCRIPTIONAL REGULATION."
90. European Patent Application No. 87810628.5, by Lubrizol Genetics, Inc., filed 2 November 1987, published as EP 0 267 159 A1 on 11 May 1988, and entitled "VERFAHREN ZUR GENETISCHEN MODIFIKATION MONOKOTYLER PFLANZEN."
91. United Kingdom Patent Application No. 8725852, by Jefferson, filed 4 November 1987, published as GB 2 197 653 A on 25 May 1988, and entitled "GENE FUSION COMPRISING  $\beta$ -GLUCURONIDASE."
92. European Patent Application No. 87400544.0, by Plant Genetic Systems N. V., filed 11 March 1987, published as EP 0 242 246 B1 on 21 October 1987, and entitled "PLANT CELLS RESISTANT TO GLUTAMINE SYNTHETASE INHIBITORS, MADE BY GENETIC ENGINEERING."
93. European Patent Application No. 87400141.5, by Plant Genetic Systems N. V., filed 21 January 1987, published as EP 0 242 236 B2 on 21 October 1987, and entitled "PLANT CELLS RESISTANT TO GLUTAMINE SYNTHETASE INHIBITORS, MADE BY GENETIC ENGINEERING."
94. International Patent Application PCT/GB87/00390, by Diatech Limited, filed 4 June 1987, published as WO 87/07644 on 17 December 1987, and entitled "TRANSLATION OF mRNA."
95. Jefferson RA, Kavanaugh TA, Bevan MW. GUS fusions:  $\beta$ -glucuronidase as a sensitive and versatile gene fusion marker in higher plants. EMBO J 1987;6:3901-3907.

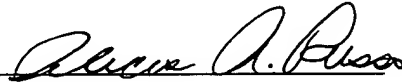
96. United States Patent No. 4,536,475, by Anderson, issued August 20, 1985, and entitled "PLANT VECTOR."
97. United States Patent No. 4,459,355, by Cello *et al.*, issued July 10, 1984, and entitled "METHOD FOR TRANSFORMING PLANT CELLS."
98. Collendavelloo J, Legrand M, Geoffroy P, Barthelemy J, Fritig B. Purification and properties of the three o-diphenol-O-methyltransferases of tobacco leaves. *Phytochemistry* 1981;20:611-616.
99. Sanger F, Nicklens S, Coulson AR. DNA sequencing with chain-terminating inhibitors. *Proc Natl Acad Sci USA* 1977;74:5463-5467.
100. Bradford MM. A rapid and sensitive method for the quantitation of microgram quantities of protein utilising the principle of protein-dye binding. *Anal Biochem* 1976;72:248-254.

This Information Disclosure Statement is being filed, Applicant believes, before the mailing date of a first Office Action on the merits for the above-referenced application and within three months of the filing date of the above-identified application. Therefore, Applicant does not believe that any fee is due in connection with the submission of this paper.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,



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Patent Office Reg. No. 32,439

Alicia A. Russo  
Patent Office Reg. No. 46,192

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Enclosures



Form PTO-1449 U.S. Department of Commerce  
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.  
A34638-PCT-USA  
(072667.0176)

Serial No.  
09/937,204

**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**  
(Use several sheets if necessary)

Applicant  
Fritig *et al.*

Filing Date  
September 21, 2001

Group  
Not Yet Assigned

**U.S. PATENT DOCUMENTS**

*Exam. Init.	Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	6 3 6 2 3 9 6	03/26/02	Chaubet <i>et al.</i>			
	6 3 7 6 2 3 4	04/23/02	Grimsley <i>et al.</i>			
	6 3 1 3 2 8 2	11/06/01	Atanassova <i>et al.</i>			
	6 3 3 1 5 2 2	12/18/01	Bulet <i>et al.</i>			
	6 0 3 7 5 2 6	03/14/00	Grimsley <i>et al.</i>			
	6 1 2 7 3 3 6	10/03/00	Bulet <i>et al.</i>			
	5 8 6 6 7 6 6	02/02/99	De Wit			
	5 9 8 1 8 4 3	11/09/99	Chappell <i>et al.</i>			
	5 7 9 2 9 3 0	08/11/98	Chaubet <i>et al.</i>			
	5 6 4 1 8 7 6	06/24/97	McElroy <i>et al.</i>			
	5 6 7 0 3 4 9	09/23/97	Cramer <i>et al.</i>			
	5 6 8 9 0 5 6	11/18/97	Cramer <i>et al.</i>			
	5 4 8 4 9 5 6	01/16/96	Lundquist <i>et al.</i>			
	5 4 8 9 5 2 0	02/06/96	Adams <i>et al.</i>			
	5 4 9 1 2 8 8	02/13/96	Chaubet <i>et al.</i>			
	5 5 0 8 4 6 8	04/16/96	Lundquist <i>et al.</i>			
	5 5 1 0 3 1 8	04/23/96	Patel <i>et al.</i>			
	5 5 3 8 8 7 7	07/23/96	Lundquist <i>et al.</i>			
	5 5 5 4 7 9 8	09/10/96	Lundquist <i>et al.</i>			
	5 5 6 5 3 4 6	10/15/96	Facciotti			
	5 5 6 9 5 9 7	10/29/96	Grimsley <i>et al.</i>			
	5 4 0 5 7 6 5	04/11/95	Vasil <i>et al.</i>			

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Examiner

Date Considered

\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce  
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.  
A34638-PCT-USA  
(072667.0176)

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Applicant  
Fritig *et al.*

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		5	4	6	4	7	6	3	11/07/05	Schilperoort <i>et al.</i>			
		5	4	7	8	7	4	4	12/26/95	Sanford <i>et al.</i>			
		5	3	7	1	0	1	4	12/06/94	Matsuyama <i>et al.</i>			
		5	1	7	7	0	1	0	01/05/93	Goldman <i>et al.</i>			
		5	1	7	9	0	2	2	01/12/93	Sanford <i>et al.</i>			
		5	1	8	7	0	7	3	02/16/93	Goldman <i>et al.</i>			
		5	2	0	4	2	5	3	04/20/93	Sanford <i>et al.</i>			
		5	1	0	0	7	9	2	03/31/92	Sanford <i>et al.</i>			
		5	0	3	6	0	0	6	07/30/91	Sanford <i>et al.</i>			
		4	9	4	5	0	5	0	07/31/90	Sanford <i>et al.</i>			
		4	5	3	6	4	7	5	08/20/85	Anderson <i>et al.</i>			
		4	4	5	9	3	5	5	07/10/84	Cello <i>et al.</i>			

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		9	9	0	9	1	8	8	25/02/99	WIPO				
		9	9	0	9	1	8	9	25/02/99	WIPO				
		9	8	0	8	9	3	2	05/03/98	WIPO				
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		9	8	4	5	4	6	1	15/10/98	WIPO				

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